

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----x
In re REFCO, INC. SECURITIES LITIGATION : 07 MDL 1902 (JSR)
:
-----x ECF CASE

-----x
: 08 Civ. 7416 (JSR)
:
KENNETH M. KRYS, et al. :
Plaintiffs, :
:
-v- :
:
ROBERT AARON, et al., :
Defendants. :
:
-----x

**SPECIAL MASTER ORDER GRANTING LEAVE TO FILE MOTION TO AMEND
PLEADING AND ESTABLISHING BRIEFING SCHEDULE**

WHEREAS, DPM¹ filed a third-party complaint against Christopher Sugrue, Patrina Khoo Farquharson, and Andrew Feighery for contribution on August 15, 2011;

WHEREAS, Farquharson answered the complaint on December 8, 2011;

WHEREAS, Farquharson filed a Fed. R. Civ. P. 12(c) Motion for Judgment on the Pleadings on December 31, 2012;

WHEREAS, DPM has requested permission to file a Motion for Leave to Amend its Third-Party Complaint against Farquharson (“DPM’s Motion”);

WHEREAS, counsel for DPM and Farquharson have conferred regarding DPM’s Motion;

¹ “DPM” refers to defendants Derivative Portfolio Management LLC, Derivative Portfolio Management, Ltd., DPM-Mellon, LLC, and DPM-Mellon, Ltd.

IT IS HEREBY ORDERED that DPM is GRANTED permission to file its Motion for Leave to Amend its Third-Party Complaint against Farquharson;

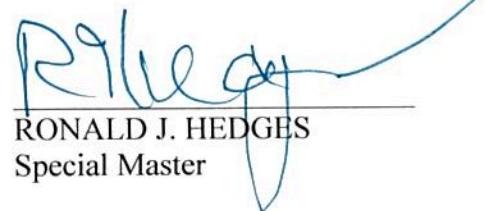
IT IS FURTHER ORDERED that Farquharson reserves her rights to: (i) move to dismiss the Amended Third-Party Complaint if DPM's Motion is granted (the "Motion to Dismiss"); and (ii) seek leave to take additional discovery if the Motion to Dismiss is denied; and

IT IS FURTHER ORDERED that DPM's moving papers are due on or before

Feb. 8, 2013, opposition papers are due fourteen days after the moving papers, and reply papers are due seven days thereafter.

SO ORDERED

Dated: January 2/4 / 2013


RONALD J. HEDGES
Special Master

EAST\54811900.1